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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2037 OF 2007

Pradeep Kumar .. Petitioner

V/s

Union of India & ors. .. Respondents

Mr.Anil Subramaniam for the petitioner.

Ms.H.P. Shah for the respondents.

CORAM : S.B. MHASE &
D.G. KARNIK, JJ.

DATE : 15TH OCTOBER 2007

P.C. :

1. Heard.

2. By this petition, the petitioner challenges the order dated 22nd February 2005 passed by the Inspector General of Police, Western Region, C.R.P.F. rejecting the petitioner's appeal against termination of his service.

3. The petitioner was appointed on 7th July 2004 as a constable. His appointment was temporary and was terminable by one month's notice. By an order dated 10th December 2004, the Commandant - 166 BN of C.R.P.F.

terminated the service of the petitioner. The petitioner challenged the order of termination before the Inspector General of Police who by an order dated 22nd February 2005 dismissed the appeal. In the application form of service, the petitioner had submitted incorrect information. He had failed to disclose Criminal Case No.277 dated 16th September 2002 which was pending against him. Thus, he secured the employment on the basis of false information. The Commandant, however, terminated the service of the petitioner by termination simpliciter without attaching any stigma and by passing an order simpliciter termination in accordance with Rule 5(1) of the Central Civil Service (Temporary Service) Rules, 1965. The appellate authority has noted that the order does not cast any stigma on the petitioner.

4. In the circumstances, we do not see any reason to interfere with the order of termination simpliciter passed against the petitioner whose appointment itself was temporary. Writ petition is accordingly rejected.

(D.G. KARNIK, J.) (S.B. MHASE, J.)